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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/569,014	02/21/2006	Hiroshi Fukukita	108731866USWO	1735
53148 7590 09/19/2008 HAMRE, SCHUMANN, MUELLER & LARSON P.C. P.O. BOX 2902-0902 MINNEAPOLIS, MN 55402				
EXAMINER				
LEACH, CRYSTAL I				
ART UNIT		PAPER NUMBER		
3737				
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09/19/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/569,014

Applicant(s)

FUKUKITA, HIROSHI

Examiner

CRYSTAL I. LEACH

Art Unit

3737

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 February 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2/21/2006 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 February 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/S508)
Paper No(s)/Mail Date 2/21/2006
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Information Disclosure Statement

1. The Information Disclosure Statements (IDS) submitted on February 21, 2006 is in compliance with 37 CFR 1.97 and 1.98. The references therein have been considered.

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 3 and 4 rejected under 35 U.S.C. 102(b) as being anticipated by Savord (6,013,032).

4. Regarding claims 1, 3 and 4, Savord teaches an ultrasonic diagnostic system in which a two-dimensional array formed from a plurality of sub-arrays is provided, wherein a signal of different polarity is generated from the receiving signal within a sub-array, and a delay time difference of 90° is given to one of the signals of different polarity and a delay time difference of 0° is given to the other, then both signals that are given a delay time difference are added together to form a sub-beam (see fig. 5 and 6 and col.

8). See also col. 4, l. 50-67 and col. 5, l. 1-34.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and

the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 2 and 5-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Savord (6,013,032).

Savord does not explicitly teach that the delay means is capable of switching the delay time difference between a quarter of one period of a fundamental of the received signal and a quarter of one period of a harmonic of the received signal. However, since the invention of Savord provides programmable means for setting the delay time (see col. 11, l. 47-49), it would be obvious to one of ordinary skill in the art to select or program the delay time difference as desired by the user for a particular procedure to obtain a desired outcome. Savord discloses a configuration such that a capacitor and resistor are provided as phase shift means (see fig. 9 and col. 9, l. 63 - col. 10, l. 8). It would be obvious to one of ordinary skill in the art that given the selection of general electronic circuit techniques of the appropriate RLC circuit achieving a desired phase shift, as presented by Savord, one would select circuits existing in the number of stages that would complement the desired technique. In digital signal processing, it is common technical knowledge that changing the sequence of operations in linear signal processes, such as addition and multiplication, does not change the final signal output. Therefor, it would be obvious to one of ordinary skill in the art to modify the position of the phase shift configuration of Savord to allow for such additions.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Larson, III (5,229,933) teaches a 2-D phased array ultrasound imaging system with distributed phasing and Lipschutz (5,469,851) teaches a time multiplexed digital ultrasound beamformer.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CRYSTAL I. LEACH whose telephone number is (571)272-5211. The examiner can normally be reached on Monday through Friday, 8 am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Casler can be reached on 571-272-4956. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Brian L Casler/

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Supervisory Patent Examiner, Art
Unit 3737

/Crystal I Leach/
Examiner, Art Unit 3737